

## SENATE BILL NO. 175

INTRODUCED BY CROMLEY

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE USE OF ZONING CLASSIFICATION AS ANOTHER METHOD FOR ASSESSING COSTS WITHIN A STREET MAINTENANCE DISTRICT; AND AMENDING SECTION 7-12-4422, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 7-12-4422, MCA, is amended to read:

**"7-12-4422. Assessment of costs -- area, frontage, lot, and taxable valuation options.** (1) For the purposes of this section, "assessable area" means the portion of a lot or parcel of land that is benefited by the maintenance district. The assessable area may be less than but may not exceed the actual area of the lot or parcel.

(2) The city council shall assess the percentage of the cost of maintenance established in 7-12-4425 against the entire district as follows:

(a) each lot or parcel of land within ~~such the~~ district may be assessed for that part of the cost ~~which that~~ its assessable area bears to the assessable area of the entire district, exclusive of streets, avenues, alleys, and public places;

(b) each lot or parcel of land within ~~such the~~ district abutting upon a street upon which maintenance is done may be assessed for that part of the cost ~~which that~~ its street frontage bears to the street frontage of the entire district;

(c) if the city council determines that the benefits derived from the maintenance by each lot or parcel are substantially equivalent, the cost may be assessed equally to each lot or parcel located within the district without regard to the assessable area of the lot or parcel;

(d) each lot or parcel of land, including the improvements ~~thereon on the lot or parcel~~, may be assessed for that part of the cost of the district ~~which that~~ its taxable valuation bears to the total taxable valuation of the property of the district; ~~or~~

(e) each lot or parcel of land within the district may be assessed FOR THAT PART OF THE COST ASSOCIATED WITH THE LOT'S OR PARCEL'S THAT THE REASONABLY ESTIMATED TRAFFIC FLOWS on the basis of the LOT'S OR PARCEL'S

1 VEHICLE TRIPS GENERATED FOR A LOT OR PARCEL OF ITS SIZE IN ITS ZONING CLASSIFICATION BEAR TO THE REASONABLY  
2 ESTIMATED VEHICLE TRIPS GENERATED FOR ALL LOTS IN THE DISTRICT BASED ON THEIR SIZE AND zoning classification  
3 for that lot or parcel; or  
4 ~~(e)~~(f) any combination of the assessment options provided in subsections (2)(a) through ~~(2)(d)~~ (2)(e)  
5 may be used for the district as a whole or for any lot or parcel within the district."  
6 - END -